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STATE FOR D, AF/SPG, PRM, AND ALSO PASS USAID/W
USAID FOR DCHA SUDAN TEAM, AF/EA, DCHA
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SUBJECT: SUDANESE GOVERNMENT INCREASINGLY OBSTRUCTING
HUMANITARIAN WORK

REF: A) Khartoum 0824, B) Khartoum 0797, C) Khartoum
0454, D) Khartoum 0320

Summary and Comment

¶1. In recent months, the Government of National Unity (GNU) has increasingly sought to obstruct humanitarian work, slowing the delivery of aid to millions of displaced people within Sudan. A host of events illustrate the escalation of harassment and restrictions directed toward humanitarian organizations: the GNU's denial of permission for U.N. Under Secretary-General for Humanitarian Affairs Jan Egeland to visit Darfur or fly over Darfur en route to Chad; the failure of the GNU to extend the agreement allowing the Norwegian Refugee Council (NRC) to coordinate aid provision in Kalma camp (reftels); an array of ever-changing bureaucratic obstacles related to visas and travel permits; the refusal of National Security to accept the application of U.N. Status of Forces Agreement (SOFA) - especially on freedom of movement - to all U.N. agencies; and the passing of the new "NGO law" ceding more control of non-governmental organization (NGO) activities to the government and requiring GNU approval of fundraising plans - meaning that the GNU could bar NGOs from accepting USG funds. These events clearly illustrate a stronger push on the part of the GNU to restrict international community engagement in Sudan. End summary and comment.

Egeland Refused Entry into Darfur/Khartoum

¶2. On April 4, the GNU refused U.N. Under Secretary-General for Humanitarian Affairs Jan Egeland entry to Khartoum and Darfur, despite a long-planned and well organized visit agreed upon with the Ministry of Foreign Affairs, including issuance of a Sudanese visa. (Note: Egeland's assistant, a German national was refused a visa due to his nationality, the U.N. told us. End note.) The harbinger of the changed attitude began when

Egeland's U.N. plane was refused landing permission in Juba by Civil Aviation (Note: Civil aviation affairs are controlled from Khartoum as per the Comprehensive Peace Agreement). The U.N. inquired further and was told that the visit was now being denied because: (a) the government could not provide security; (b) the Prophet's birthday was coming up (Note: Egeland's visit was scheduled on April 4 and 5. The Prophet's birthday is celebrated April 10. End note.); and (c) Egeland's Norwegian nationality.

¶3. Egeland traveled to Juba instead by commercial carrier and carried out his visit to Juba, Bor, and Rumbek as planned. In Rumbek Egeland met with GNU Vice President and GOSS President Salva Kiir, who was attending an all-GOSS meeting. Having been denied a visit to South Darfur, Egeland's team proposed a trip to West Darfur. When contacted about the visit, the West Darfur Wali welcomed the idea, but later reneged on the invitation, likely after consulting with Khartoum. The coup de grace came when Egeland was denied overflight of Darfur en route to Abeche in Chad. The U.N. alleges that the entire situation was carefully orchestrated and planned to frustrate them, and is a sign of deteriorating GNU - U.N. relations. U.N. officials informed donors that the U.N. Secretary General will be calling President Bashir directly to complain about the treatment of Egeland.

NRC Ordered to Leave South Darfur

¶4. The GNU has ordered Norwegian Refugee Council (NRC) to leave South Darfur entirely. In a letter to NRC dated

KHARTOUM 00000853 002 OF 002

March 30, South Darfur officials stated that NRC's safety might be in jeopardy due to lingering animosity towards Scandinavian countries linked to the controversy over the cartoons depicting the Prophet Mohamed. NRC runs separate programs unrelated to the coordination of Kalma camp and will continue to do so until Saturday when they will fully withdraw their expatriate staff to Khartoum. The full impact of NRC's withdrawal is yet to be seen, however, the international community believes the withdrawal of NRC from Kalma camp could lead to increased humanitarian needs and increased protection and human rights concerns.

GNU Obstruction: Too Many Examples to Cite

¶4. Visa, permit, and employment obstacles are too numerous to cite individually. Despite an agreement with the U.N. to expedite visas within 48 hours for humanitarian workers for Darfur (the so-called "moratorium"), it is common for expatriates to wait months. Often humanitarian aid workers with visas wait in Khartoum for months for a Darfur travel permit, which may only be valid for a short window of time. This in combination with the prolonged visa issuance process significantly impacts humanitarian aid program implementation and monitoring.

¶5. In Darfur humanitarian agencies continue to suffer from GNU involvement in day-to-day operations. Government officials have inserted themselves into the NGO hiring process. Frequently government officials also insist that NGOs hire a local "trainee" at NGO expense. In addition to inserting themselves into NGO personnel processes, local authorities also require numerous additional permits for travel outside the provincial capitals. The requirements for obtaining the permits vary by office and location.

¶6. The GNU refuses to recognize U.N. agencies as being covered by the SOFA. The SOFA agreement allows U.N. staff freedom of movement in U.N. areas of operation without the permits that would otherwise be required. In one instance a U.N. staff member in South Darfur was detained by security forces for several hours for traveling without a travel permit. U.N. agencies can not effectively implement and monitor programs if their freedom of movement is restricted. The U.N. Mission in Sudan (UNMIS) informed the donors that it is considering pulling out of the east completely due to movement restrictions.

¶7. In March the government passed a new NGO law that severely restricts the ability of civil society to operate independently. Agencies have yet to receive the final signed version of the law and do not know when implementation of the law will occur. Based on information post has acquired, Article 7 of the act requires NGOs to clear all project proposals, including funding sources and amounts, through the government. The legislation allows the Sudanese government to reject USG-funded programs, especially those viewed as "political." (Note: The GNU has not yet made clear what its interpretation of "political" is. End note.) Donors, including European Commission, France, Switzerland, Norway, Canada the United Kingdom, Japan, and the U.S. have drafted a joint letter to the Ministry of Foreign Affairs expressing concerns over the passage of the new law. The letter was sent today (septel).

STEINFELD